



Sen. William R. Haine

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1 AMENDMENT TO SENATE BILL 642

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 642 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The University of Illinois Act is amended by  
5 changing Section 7 as follows:

6 (110 ILCS 305/7) (from Ch. 144, par. 28)

7 Sec. 7. Powers of trustees.

8 (a) The trustees shall have power to provide for the  
9 requisite buildings, apparatus, and conveniences; to fix the  
10 rates for tuition; to appoint such professors and instructors,  
11 and to establish and provide for the management of such model  
12 farms, model art, and other departments and professorships, as  
13 may be required to teach, in the most thorough manner, such  
14 branches of learning as are related to agriculture and the  
15 mechanic arts, and military tactics, without excluding other  
16 scientific and classical studies. The trustees shall, upon the

1 written request of an employee withhold from the compensation  
2 of that employee any dues, payments or contributions payable by  
3 such employee to any labor organization as defined in the  
4 Illinois Educational Labor Relations Act. Under such  
5 arrangement, an amount shall be withheld from each regular  
6 payroll period which is equal to the pro rata share of the  
7 annual dues plus any payments or contributions, and the  
8 trustees shall transmit such withholdings to the specified  
9 labor organization within 10 working days from the time of the  
10 withholding. They may accept the endowments and voluntary  
11 professorships or departments in the University, from any  
12 person or persons or corporations who may offer the same, and,  
13 at any regular meeting of the board, may prescribe rules and  
14 regulations in relation to such endowments and declare on what  
15 general principles they may be admitted: Provided, that such  
16 special voluntary endowments or professorships shall not be  
17 incompatible with the true design and scope of the act of  
18 congress, or of this Act: Provided, that no student shall at  
19 any time be allowed to remain in or about the University in  
20 idleness, or without full mental or industrial occupation: And  
21 provided further, that the trustees, in the exercise of any of  
22 the powers conferred by this Act, shall not create any  
23 liability or indebtedness in excess of the funds in the hands  
24 of the treasurer of the University at the time of creating such  
25 liability or indebtedness, and which may be specially and  
26 properly applied to the payment of the same. Any lease to the

1 trustees of lands, buildings or facilities which will support  
2 scientific research and development in such areas as high  
3 technology, super computing, microelectronics, biotechnology,  
4 robotics, physics and engineering shall be for a term not to  
5 exceed 18 years, and may grant to the trustees the option to  
6 purchase the lands, buildings or facilities. The lease shall  
7 recite that it is subject to termination and cancellation in  
8 any year for which the General Assembly fails to make an  
9 appropriation to pay the rent payable under the terms of the  
10 lease.

11 Leases for the purposes described herein exceeding 5 years  
12 shall have the approval of the Illinois Board of Higher  
13 Education.

14 The Board of Trustees may, directly or in cooperation with  
15 other institutions of higher education, acquire by purchase or  
16 lease or otherwise, and construct, enlarge, improve, equip,  
17 complete, operate, control and manage medical research and high  
18 technology parks, together with the necessary lands,  
19 buildings, facilities, equipment and personal property  
20 therefor, to encourage and facilitate (a) the location and  
21 development of business and industry in the State of Illinois,  
22 and (b) the increased application and development of technology  
23 and (c) the improvement and development of the State's economy.  
24 The Board of Trustees may lease to nonprofit corporations all  
25 or any part of the land, buildings, facilities, equipment or  
26 other property included in a medical research and high

1 technology park upon such terms and conditions as the  
2 University of Illinois may deem advisable and enter into any  
3 contract or agreement with such nonprofit corporations as may  
4 be necessary or suitable for the construction, financing,  
5 operation and maintenance and management of any such park; and  
6 may lease to any person, firm, partnership or corporation,  
7 either public or private, any part or all of the land,  
8 building, facilities, equipment or other property of such park  
9 for such purposes and upon such rentals, terms and conditions  
10 as the University may deem advisable; and may finance all or  
11 part of the cost of any such park, including the purchase,  
12 lease, construction, reconstruction, improvement, remodeling,  
13 addition to, and extension and maintenance of all or part of  
14 such high technology park, and all equipment and furnishings,  
15 by legislative appropriations, government grants, contracts,  
16 private gifts, loans, receipts from the operation of such high  
17 technology park, rentals and similar receipts; and may make its  
18 other facilities and services available to tenants or other  
19 occupants of any such park at rates which are reasonable and  
20 appropriate.

21 The Trustees shall have power (a) to purchase real property  
22 and easements, and (b) to acquire real property and easements  
23 in the manner provided by law for the exercise of the right of  
24 eminent domain, and in the event negotiations for the  
25 acquisition of real property or easements for making any  
26 improvement which the Trustees are authorized to make shall

1 have proven unsuccessful and the Trustees shall have by  
2 resolution adopted a schedule or plan of operation for the  
3 execution of the project and therein made a finding that it is  
4 necessary to take such property or easements immediately or at  
5 some specified later date in order to comply with the schedule,  
6 the Trustees may acquire such property or easements in the same  
7 manner provided in Article 20 of the Eminent Domain Act  
8 (quick-take procedure).

9 The Board of Trustees also shall have power to agree with  
10 the State's Attorney of the county in which any properties of  
11 the Board are located to pay for services rendered by the  
12 various taxing districts for the years 1944 through 1949 and to  
13 pay annually for services rendered thereafter by such district  
14 such sums as may be determined by the Board upon properties  
15 used solely for income producing purposes, title to which is  
16 held by said Board of Trustees, upon properties leased to  
17 members of the staff of the University of Illinois, title to  
18 which is held in trust for said Board of Trustees and upon  
19 properties leased to for-profit entities the title to which  
20 properties is held by the Board of Trustees. A certified copy  
21 of any such agreement made with the State's Attorney shall be  
22 filed with the County Clerk and such sums shall be distributed  
23 to the respective taxing districts by the County Collector in  
24 such proportions that each taxing district will receive  
25 therefrom such proportion as the tax rate of such taxing  
26 district bears to the total tax rate that would be levied

1 against such properties if they were not exempt from taxation  
2 under the Property Tax Code.

3 The Board of Trustees of the University of Illinois,  
4 subject to the applicable civil service law, may appoint  
5 persons to be members of the University of Illinois Police  
6 Department. Members of the Police Department shall be peace  
7 officers and as such have all powers possessed by policemen in  
8 cities, and sheriffs, including the power to make arrests on  
9 view or warrants of violations of state statutes and city or  
10 county ordinances, except that they may exercise such powers  
11 only in counties wherein the University and any of its branches  
12 or properties are located when such is required for the  
13 protection of university properties and interests, and its  
14 students and personnel, and otherwise, within such counties,  
15 when requested by appropriate state or local law enforcement  
16 officials; provided, however, that such officer shall have no  
17 power to serve and execute civil processes.

18 The Board of Trustees must authorize to each member of the  
19 University of Illinois Police Department and to any other  
20 employee of the University of Illinois exercising the powers of  
21 a peace officer a distinct badge that, on its face, (i) clearly  
22 states that the badge is authorized by the University of  
23 Illinois and (ii) contains a unique identifying number. No  
24 other badge shall be authorized by the University of Illinois.  
25 Nothing in this paragraph prohibits the Board of Trustees from  
26 issuing shields or other distinctive identification to

1 employees not exercising the powers of a peace officer if the  
2 Board of Trustees determines that a shield or distinctive  
3 identification is needed by the employee to carry out his or  
4 her responsibilities.

5 The Board of Trustees may own, operate, or govern, by or  
6 through the College of Medicine at Peoria, a managed care  
7 community network established under subsection (b) of Section  
8 5-11 of the Illinois Public Aid Code.

9 The powers of the trustees as herein designated are subject  
10 to the provisions of "An Act creating a Board of Higher  
11 Education, defining its powers and duties, making an  
12 appropriation therefor, and repealing an Act herein named",  
13 approved August 22, 1961, as amended.

14 The Board of Trustees shall have the authority to adopt all  
15 administrative rules which may be necessary for the effective  
16 administration, enforcement and regulation of all matters for  
17 which the Board has jurisdiction or responsibility.

18 (b) To assist in the provision of buildings and facilities  
19 beneficial to, useful for, or supportive of University  
20 purposes, the Board of Trustees of the University of Illinois  
21 may exercise the following powers with regard to the area  
22 located on or adjacent to the University of Illinois at Chicago  
23 campus and bounded as follows: on the West by Morgan Street; on  
24 the North by Roosevelt Road; on the East by Union Street; and  
25 on the South by 16th Street, in the City of Chicago:

26 (1) Acquire any interests in land, buildings, or

1 facilities by purchase, including installments payable  
2 over a period allowed by law, by lease over a term of such  
3 duration as the Board of Trustees shall determine, or by  
4 exercise of the power of eminent domain;

5 (2) Sub-lease or contract to purchase through  
6 installments all or any portion of buildings or facilities  
7 for such duration and on such terms as the Board of  
8 Trustees shall determine, including a term that exceeds 5  
9 years, provided that each such lease or purchase contract  
10 shall be and shall recite that it is subject to termination  
11 and cancellation in any year for which the General Assembly  
12 fails to make an appropriation to pay the rent or purchase  
13 installments payable under the terms of such lease or  
14 purchase contract; and

15 (3) Sell property without compliance with the State  
16 Property Control Act and retain proceeds in the University  
17 Treasury in a special, separate development fund account  
18 which the Auditor General shall examine to assure  
19 compliance with this Act.

20 Any buildings or facilities to be developed on the land shall  
21 be buildings or facilities that, in the determination of the  
22 Board of Trustees, in whole or in part: (i) are for use by the  
23 University; or (ii) otherwise advance the interests of the  
24 University, including, by way of example, residential  
25 facilities for University staff and students and commercial  
26 facilities which provide services needed by the University

1 community. Revenues from the development fund account may be  
2 withdrawn by the University for the purpose of demolition and  
3 the processes associated with demolition; routine land and  
4 property acquisition; extension of utilities; streetscape  
5 work; landscape work; surface and structure parking;  
6 sidewalks, recreational paths, and street construction; and  
7 lease and lease purchase arrangements and the professional  
8 services associated with the planning and development of the  
9 area. Moneys from the development fund account used for any  
10 other purpose must be deposited into and appropriated from the  
11 General Revenue Fund. Buildings or facilities leased to an  
12 entity or person other than the University shall not be subject  
13 to any limitations applicable to a State supported college or  
14 university under any law. All development on the land and all  
15 use of any buildings or facilities shall be subject to the  
16 control and approval of the Board of Trustees.

17 (c) The Board of Trustees shall have the power to borrow  
18 money, as necessary, from time to time in anticipation of  
19 receiving tuition, payments from the State of Illinois, or  
20 other revenues or receipts of the University, also known as  
21 anticipated moneys; provided that the money shall be repaid  
22 within 12 months after the time the money is borrowed and the  
23 amount borrowed shall not exceed 75% of the total amount of  
24 payroll and other expense vouchers submitted, but unpaid at the  
25 Comptroller's Office, 30 days prior to the anticipated  
26 borrowing. The borrowed moneys shall be applied only for the

1 purposes of paying salaries and other expenses lawfully  
2 authorized in the university's State appropriation. No  
3 borrowing under this provision shall be allowed after August  
4 31, 2010. The borrowed moneys shall be applied to the purposes  
5 for which the anticipated moneys are lawfully available. The  
6 Chairman or Treasurer of the Board shall execute a promissory  
7 note or similar debt instrument to evidence the indebtedness  
8 incurred by the borrowing. In connection with a borrowing, the  
9 Board may establish a line of credit with a financial  
10 institution.

11 The obligation to make the payments due under the  
12 promissory note or other debt instrument shall be a lawful  
13 obligation of the University payable from the anticipated  
14 moneys as set forth in the resolution authorizing the same. Any  
15 borrowing under this subsection (c) shall not constitute a  
16 debt, legal or moral, of the State and shall not be enforceable  
17 against the State. The promissory note or other debt instrument  
18 shall be authorized by a resolution passed by the Board and  
19 shall be valid whether or not a budgeted item with respect to  
20 that resolution is included in any annual or supplemental  
21 budget adopted by the Board. The resolution shall set forth  
22 facts demonstrating the need for the borrowing, state an amount  
23 that the amount to be borrowed will not exceed, establish a  
24 maximum interest rate limit not to exceed the maximum rate  
25 authorized by the Bond Authorization Act, and provide a date by  
26 which the borrowed funds shall be repaid. The resolution may

1 direct the Treasurer of the Board to make arrangements to set  
2 apart and hold the portion of the anticipated moneys, as  
3 received, that shall be used to repay the borrowing, subject to  
4 any prior pledges or restrictions with respect to the  
5 anticipated moneys. The resolution may also authorize the  
6 Treasurer of the Board to make partial repayments of the  
7 borrowing as the anticipated moneys become available and may  
8 contain any other terms, restrictions, or limitations not  
9 inconsistent with the powers of the Board.

10 For the purposes of this subsection (c), "financial  
11 institution" means any bank subject to the Illinois Banking  
12 Act, any savings and loan association subject to the Illinois  
13 Savings and Loan Act of 1985, and any federally chartered  
14 commercial bank or savings and loan association organized and  
15 operated in this State pursuant to the laws of the United  
16 States.

17 (Source: P.A. 93-423, eff. 8-5-03; 94-1055, eff. 1-1-07.)

18 Section 10. The Southern Illinois University Management  
19 Act is amended by changing Section 8 as follows:

20 (110 ILCS 520/8) (from Ch. 144, par. 658)

21 Sec. 8. Powers and Duties of the Board. The Board shall  
22 have power and it shall be its duty:

23 1. To make rules, regulations and by-laws, not  
24 inconsistent with law, for the government and management of

1 Southern Illinois University and its branches;

2 2. To employ, and, for good cause, to remove a  
3 president of Southern Illinois University, and all  
4 necessary deans, professors, associate professors,  
5 assistant professors, instructors, and other educational  
6 and administrative assistants, and all other necessary  
7 employees, and contract with them upon matters relating to  
8 tenure, salaries and retirement benefits in accordance  
9 with the State Universities Civil Service Act; the Board  
10 shall, upon the written request of an employee of Southern  
11 Illinois University, withhold from the compensation of  
12 that employee any dues, payments or contributions payable  
13 by such employee to any labor organization as defined in  
14 the Illinois Educational Labor Relations Act. Under such  
15 arrangement, an amount shall be withheld from each regular  
16 payroll period which is equal to the pro rata share of the  
17 annual dues plus any payments or contributions, and the  
18 Board shall transmit such withholdings to the specified  
19 labor organization within 10 working days from the time of  
20 the withholding. Whenever the Board establishes a search  
21 committee to fill the position of president of Southern  
22 Illinois University, there shall be minority  
23 representation, including women, on that search committee;

24 3. To prescribe the course of study to be followed, and  
25 textbooks and apparatus to be used at Southern Illinois  
26 University;

1           4. To issue upon the recommendation of the faculty,  
2           diplomas to such persons as have satisfactorily completed  
3           the required studies of Southern Illinois University, and  
4           confer such professional and literary degrees as are  
5           usually conferred by other institutions of like character  
6           for similar or equivalent courses of study, or such as the  
7           Board may deem appropriate;

8           5. To examine into the conditions, management, and  
9           administration of Southern Illinois University, to provide  
10          the requisite buildings, apparatus, equipment and  
11          auxiliary enterprises, and to fix and collect  
12          matriculation fees; tuition fees; fees for student  
13          activities; fees for student facilities such as student  
14          union buildings or field houses or stadium or other  
15          recreational facilities; student welfare fees; laboratory  
16          fees and similar fees for supplies and material;

17          6. To succeed to and to administer all trusts, trust  
18          property, and gifts now or hereafter belonging or  
19          pertaining to Southern Illinois University;

20          7. To accept endowments of professorships or  
21          departments in the University from any person who may  
22          proffer them and, at regular meetings, to prescribe rules  
23          and regulations in relation to endowments and declare on  
24          what general principles they may be accepted;

25          8. To enter into contracts with the Federal government  
26          for providing courses of instruction and other services at

1 Southern Illinois University for persons serving in or with  
2 the military or naval forces of the United States, and to  
3 provide such courses of instruction and other services;

4 9. To provide for the receipt and expenditures of  
5 Federal funds, paid to the Southern Illinois University by  
6 the Federal government for instruction and other services  
7 for persons serving in or with the military or naval forces  
8 of the United States and to provide for audits of such  
9 funds;

10 10. To appoint, subject to the applicable civil service  
11 law, persons to be members of the Southern Illinois  
12 University Police Department. Members of the Police  
13 Department shall be conservators of the peace and as such  
14 have all powers possessed by policemen in cities, and  
15 sheriffs, including the power to make arrests on view or  
16 warrants of violations of state statutes, university rules  
17 and regulations and city or county ordinances, except that  
18 they may exercise such powers only within counties wherein  
19 the university and any of its branches or properties are  
20 located when such is required for the protection of  
21 university properties and interests, and its students and  
22 personnel, and otherwise, within such counties, when  
23 requested by appropriate State or local law enforcement  
24 officials. However, such officers shall have no power to  
25 serve and execute civil processes.

26 The Board must authorize to each member of the Southern

1 Illinois University Police Department and to any other  
2 employee of Southern Illinois University exercising the  
3 powers of a peace officer a distinct badge that, on its  
4 face, (i) clearly states that the badge is authorized by  
5 Southern Illinois University and (ii) contains a unique  
6 identifying number. No other badge shall be authorized by  
7 Southern Illinois University.

8 10.5. To conduct health care programs in furtherance of  
9 its teaching, research, and public service functions,  
10 which shall include without limitation patient and  
11 ancillary facilities, institutes, clinics, or offices  
12 owned, leased, or purchased through an equity interest by  
13 the Board or its appointed designee to carry out such  
14 activities in the course of or in support of the Board's  
15 academic, clinical, and public service responsibilities.

16 11. To administer a plan or plans established by the  
17 clinical faculty of the School of Medicine for the billing,  
18 collection and disbursement of charges for services  
19 performed in the course of or in support of the faculty's  
20 academic responsibilities, provided that such plan has  
21 been first approved by Board action. All such collections  
22 shall be deposited into a special fund or funds  
23 administered by the Board from which disbursements may be  
24 made according to the provisions of said plan. The  
25 reasonable costs incurred, by the University,  
26 administering the billing, collection and disbursement

1 provisions of a plan shall have first priority for payment  
2 before distribution or disbursement for any other purpose.  
3 Audited financial statements of the plan or plans must be  
4 provided to the Legislative Audit Commission annually.

5 The Board of Trustees may own, operate, or govern, by  
6 or through the School of Medicine, a managed care community  
7 network established under subsection (b) of Section 5-11 of  
8 the Illinois Public Aid Code.

9 12. The Board of Trustees may, directly or in  
10 cooperation with other institutions of higher education,  
11 acquire by purchase or lease or otherwise, and construct,  
12 enlarge, improve, equip, complete, operate, control and  
13 manage medical research and high technology parks,  
14 together with the necessary lands, buildings, facilities,  
15 equipment, and personal property therefor, to encourage  
16 and facilitate (a) the location and development of business  
17 and industry in the State of Illinois, and (b) the  
18 increased application and development of technology and  
19 (c) the improvement and development of the State's economy.  
20 The Board of Trustees may lease to nonprofit corporations  
21 all or any part of the land, buildings, facilities,  
22 equipment or other property included in a medical research  
23 and high technology park upon such terms and conditions as  
24 the Board of Trustees may deem advisable and enter into any  
25 contract or agreement with such nonprofit corporations as  
26 may be necessary or suitable for the construction,

1 financing, operation and maintenance and management of any  
2 such park; and may lease to any person, firm, partnership  
3 or corporation, either public or private, any part or all  
4 of the land, building, facilities, equipment or other  
5 property of such park for such purposes and upon such  
6 rentals, terms and conditions as the Board of Trustees may  
7 deem advisable; and may finance all or part of the cost of  
8 any such park, including the purchase, lease,  
9 construction, reconstruction, improvement, remodeling,  
10 addition to, and extension and maintenance of all or part  
11 of such high technology park, and all equipment and  
12 furnishings, by legislative appropriations, government  
13 grants, contracts, private gifts, loans, receipts from the  
14 operation of such high technology park, rentals and similar  
15 receipts; and may make its other facilities and services  
16 available to tenants or other occupants of any such park at  
17 rates which are reasonable and appropriate.

18 13. To borrow money, as necessary, from time to time in  
19 anticipation of receiving tuition, payments from the State  
20 of Illinois, or other revenues or receipts of the  
21 University, also known as anticipated moneys; provided  
22 that the money shall be repaid within 12 months after the  
23 time the money is borrowed and the amount borrowed shall  
24 not exceed 75% of the total amount of payroll and other  
25 expense vouchers submitted, but unpaid at the  
26 Comptroller's Office, 30 days prior to the anticipated

1       borrowing. The borrowed moneys shall be applied only for  
2       the purposes of paying salaries and other expenses lawfully  
3       authorized in the university's State appropriation. No  
4       borrowing under this provision shall be allowed after  
5       August 31, 2010. The borrowed moneys shall be applied to  
6       the purposes for which the anticipated moneys are lawfully  
7       available. The Chairman or Treasurer of the Board shall  
8       execute a promissory note or similar debt instrument to  
9       evidence the indebtedness incurred by the borrowing. In  
10       connection with a borrowing, the Board may establish a line  
11       of credit with a financial institution.

12       The obligation to make the payments due under the  
13       promissory note or other debt instrument shall be a lawful  
14       obligation of the University payable from the anticipated  
15       moneys as set forth in the resolution authorizing the same.  
16       Any borrowing under this item 13 shall not constitute a  
17       debt, legal or moral, of the State and shall not be  
18       enforceable against the State. The promissory note or other  
19       debt instrument shall be authorized by a resolution passed  
20       by the Board and shall be valid whether or not a budgeted  
21       item with respect to that resolution is included in any  
22       annual or supplemental budget adopted by the Board. The  
23       resolution shall set forth facts demonstrating the need for  
24       the borrowing, state an amount that the amount to be  
25       borrowed will not exceed, establish a maximum interest rate  
26       limit not to exceed the maximum rate authorized by the Bond

1       Authorization Act, and provide a date by which the borrowed  
2       funds shall be repaid. The resolution may direct the  
3       Treasurer of the Board to make arrangements to set apart  
4       and hold the portion of the anticipated moneys, as  
5       received, that shall be used to repay the borrowing,  
6       subject to any prior pledges or restrictions with respect  
7       to the anticipated moneys. The resolution may also  
8       authorize the Treasurer of the Board to make partial  
9       repayments of the borrowing as the anticipated moneys  
10       become available and may contain any other terms,  
11       restrictions, or limitations not inconsistent with the  
12       powers of the Board.

13       For the purposes of this item 13, "financial  
14       institution" means any bank subject to the Illinois Banking  
15       Act, any savings and loan association subject to the  
16       Illinois Savings and Loan Act of 1985, and any federally  
17       chartered commercial bank or savings and loan association  
18       organized and operated in this State pursuant to the laws  
19       of the United States.

20       The powers of the Board as herein designated are subject to  
21       the Board of Higher Education Act.

22       (Source: P.A. 95-158, eff. 8-14-07; 95-876, eff. 8-21-08.)

23       Section 15. The Chicago State University Law is amended by  
24       changing Section 5-45 as follows:

1 (110 ILCS 660/5-45)

2 Sec. 5-45. Powers and duties. The Board also shall have  
3 power and it shall be its duty:

4 (1) To make rules, regulations and bylaws, not inconsistent  
5 with law, for the government and management of Chicago State  
6 University and its branches;

7 (2) To employ, and, for good cause, to remove a President  
8 of Chicago State University, and all necessary deans,  
9 professors, associate professors, assistant professors,  
10 instructors, other educational and administrative assistants,  
11 and all other necessary employees, and to prescribe their  
12 duties and contract with them upon matters relating to tenure,  
13 salaries and retirement benefits in accordance with the State  
14 Universities Civil Service Act. Whenever the Board establishes  
15 a search committee to fill the position of President of Chicago  
16 State University, there shall be minority representation,  
17 including women, on that search committee. The Board shall,  
18 upon the written request of an employee of Chicago State  
19 University, withhold from the compensation of that employee any  
20 dues, payments or contributions payable by such employee to any  
21 labor organization as defined in the Illinois Educational Labor  
22 Relations Act. Under such arrangement, an amount shall be  
23 withheld from each regular payroll period which is equal to the  
24 pro rata share of the annual dues plus any payments or  
25 contributions, and the Board shall transmit such withholdings  
26 to the specified labor organization within 10 working days from

1 the time of the withholding;

2 (3) To prescribe the courses of study to be followed, and  
3 textbooks and apparatus to be used at Chicago State University;

4 (4) To issue upon the recommendation of the faculty,  
5 diplomas to such persons as have satisfactorily completed the  
6 required studies of Chicago State University, and confer such  
7 professional and literary degrees as are usually conferred by  
8 other institutions of like character for similar or equivalent  
9 courses of study, or such as the Board may deem appropriate;

10 (5) To examine into the conditions, management, and  
11 administration of Chicago State University, to provide the  
12 requisite buildings, apparatus, equipment and auxiliary  
13 enterprises, and to fix and collect matriculation fees; tuition  
14 fees; fees for student activities; fees for student facilities  
15 such as student union buildings or field houses or stadia or  
16 other recreational facilities; student welfare fees;  
17 laboratory fees; and similar fees for supplies and materials.  
18 The expense of the building, improving, repairing and supplying  
19 fuel and furniture and the necessary appliances and apparatus  
20 for conducting Chicago State University, the reimbursed  
21 expenses of members of the Board, and the salaries or  
22 compensation of the President, assistants, agents and other  
23 employees of Chicago State University, shall be a charge upon  
24 the State Treasury. All other expenses shall be chargeable  
25 against students, and the Board shall regulate the charges  
26 accordingly;

1           (6) To succeed to and to administer all trusts, trust  
2 property, and gifts now or hereafter belonging or pertaining to  
3 Chicago State University;

4           (7) To accept endowments of professorships or departments  
5 in Chicago State University from any person who may proffer  
6 them and, at regular meetings, to prescribe rules and  
7 regulations in relation to endowments and declare on what  
8 general principles they may be accepted;

9           (8) To enter into contracts with the Federal government for  
10 providing courses of instruction and other services at Chicago  
11 State University for persons serving in or with the military or  
12 naval forces of the United States, and to provide such courses  
13 of instruction and other services;

14           (9) To contract with respect to the Cooperative Computer  
15 Center to obtain services related to electronic data  
16 processing;

17           (10) To provide for the receipt and expenditures of Federal  
18 funds paid to Chicago State University by the Federal  
19 government for instruction and other services for persons  
20 serving in or with the military or naval forces of the United  
21 States, and to provide for audits of such funds;

22           (11) To appoint, subject to the applicable civil service  
23 law, persons to be members of the Chicago State University  
24 Police Department. Members of the Police Department shall be  
25 conservators of the peace and as such have all powers possessed  
26 by policemen in cities, and sheriffs, including the power to

1 make arrests on view or warrants of violations of State  
2 statutes, University rules and regulations and city or county  
3 ordinances, except that they may exercise such powers only  
4 within counties wherein Chicago State University and any of its  
5 branches or properties are located when such is required for  
6 the protection of University properties and interests, and its  
7 students and personnel, and otherwise, within such counties,  
8 when requested by appropriate State or local law enforcement  
9 officials. However, such officers shall have no power to serve  
10 and execute civil processes.

11 The Board must authorize to each member of the Chicago  
12 State University Police Department and to any other employee of  
13 Chicago State University exercising the powers of a peace  
14 officer a distinct badge that, on its face, (i) clearly states  
15 that the badge is authorized by Chicago State University and  
16 (ii) contains a unique identifying number on its face. No other  
17 badge shall be authorized by Chicago State University;

18 (12) The Board may, directly or in cooperation with other  
19 institutions of higher education, acquire by purchase or lease  
20 or otherwise, and construct, enlarge, improve, equip,  
21 complete, operate, control and manage research and high  
22 technology parks, together with the necessary lands,  
23 buildings, facilities, equipment, and personal property  
24 therefor, to encourage and facilitate (i) the location and  
25 development of business and industry in the State of Illinois,  
26 and (ii) the increased application and development of

1 technology, and (iii) the improvement and development of the  
2 State's economy. The Board may lease to nonprofit corporations  
3 all or any part of the land, buildings, facilities, equipment  
4 or other property included in a research and high technology  
5 park upon such terms and conditions as the Board may deem  
6 advisable and enter into any contract or agreement with such  
7 nonprofit corporations as may be necessary or suitable for the  
8 construction, financing, operation and maintenance and  
9 management of any such park; and may lease to any person, firm,  
10 partnership or corporation, either public or private, any part  
11 or all of the land, building, facilities, equipment or other  
12 property of such park for such purposes and upon such rentals,  
13 terms and conditions as the Board may deem advisable; and may  
14 finance all or part of the cost of any such park, including the  
15 purchase, lease, construction, reconstruction, improvement,  
16 remodeling, addition to, and extension and maintenance of all  
17 or part of such high technology park, and all equipment and  
18 furnishings, by legislative appropriations, government grants,  
19 contracts, private gifts, loans, receipts from the operation of  
20 such high technology park, rentals and similar receipts; and  
21 may make its other facilities and services available to tenants  
22 or other occupants of any such park at rates which are  
23 reasonable and appropriate.

24 (13) To borrow money, as necessary, from time to time in  
25 anticipation of receiving tuition, payments from the State of  
26 Illinois, or other revenues or receipts of the University, also

1 known as anticipated moneys; provided that the money shall be  
2 repaid within 12 months after the time the money is borrowed  
3 and the amount borrowed shall not exceed 75% of the total  
4 amount of payroll and other expense vouchers submitted, but  
5 unpaid at the Comptroller's Office, 30 days prior to the  
6 anticipated borrowing. The borrowed moneys shall be applied  
7 only for the purposes of paying salaries and other expenses  
8 lawfully authorized in the university's State appropriation.  
9 No borrowing under this provision shall be allowed after August  
10 31, 2010. The borrowed moneys shall be applied to the purposes  
11 for which the anticipated moneys are lawfully available. The  
12 Chairman or Treasurer of the Board shall execute a promissory  
13 note or similar debt instrument to evidence the indebtedness  
14 incurred by the borrowing. In connection with a borrowing, the  
15 Board may establish a line of credit with a financial  
16 institution.

17 The obligation to make the payments due under the  
18 promissory note or other debt instrument shall be a lawful  
19 obligation of the University payable from the anticipated  
20 moneys as set forth in the resolution authorizing the same. Any  
21 borrowing under this item (13) shall not constitute a debt,  
22 legal or moral, of the State and shall not be enforceable  
23 against the State. The promissory note or other debt instrument  
24 shall be authorized by a resolution passed by the Board and  
25 shall be valid whether or not a budgeted item with respect to  
26 that resolution is included in any annual or supplemental

1 budget adopted by the Board. The resolution shall set forth  
2 facts demonstrating the need for the borrowing, state an amount  
3 that the amount to be borrowed will not exceed, establish a  
4 maximum interest rate limit not to exceed the maximum rate  
5 authorized by the Bond Authorization Act, and provide a date by  
6 which the borrowed funds shall be repaid. The resolution may  
7 direct the Treasurer of the Board to make arrangements to set  
8 apart and hold the portion of the anticipated moneys, as  
9 received, that shall be used to repay the borrowing, subject to  
10 any prior pledges or restrictions with respect to the  
11 anticipated moneys. The resolution may also authorize the  
12 Treasurer of the Board to make partial repayments of the  
13 borrowing as the anticipated moneys become available and may  
14 contain any other terms, restrictions, or limitations not  
15 inconsistent with the powers of the Board.

16 For the purposes of this item (13), "financial institution"  
17 means any bank subject to the Illinois Banking Act, any savings  
18 and loan association subject to the Illinois Savings and Loan  
19 Act of 1985, and any federally chartered commercial bank or  
20 savings and loan association organized and operated in this  
21 State pursuant to the laws of the United States.

22 (Source: P.A. 91-883, eff. 1-1-01.)

23 Section 20. The Eastern Illinois University Law is amended  
24 by changing Section 10-45 as follows:

1 (110 ILCS 665/10-45)

2 Sec. 10-45. Powers and duties.

3 (a) The Board also shall have power and it shall be its  
4 duty:

5 (1) To make rules, regulations and bylaws, not  
6 inconsistent with law, for the government and management of  
7 Eastern Illinois University and its branches.

8 (2) To employ, and, for good cause, to remove a  
9 President of Eastern Illinois University, and all  
10 necessary deans, professors, associate professors,  
11 assistant professors, instructors, other educational and  
12 administrative assistants, and all other necessary  
13 employees, and to prescribe their duties and contract with  
14 them upon matters relating to tenure, salaries and  
15 retirement benefits in accordance with the State  
16 Universities Civil Service Act. Whenever the Board  
17 establishes a search committee to fill the position of  
18 President of Eastern Illinois University, there shall be  
19 minority representation, including women, on that search  
20 committee. The Board shall, upon the written request of an  
21 employee of Eastern Illinois University, withhold from the  
22 compensation of that employee any dues, payments or  
23 contributions payable by such employee to any labor  
24 organization as defined in the Illinois Educational Labor  
25 Relations Act. Under such arrangement, an amount shall be  
26 withheld from each regular payroll period which is equal to

1 the pro rata share of the annual dues plus any payments or  
2 contributions, and the Board shall transmit such  
3 withholdings to the specified labor organization within 10  
4 working days from the time of the withholding.

5 (3) To prescribe the courses of study to be followed,  
6 and textbooks and apparatus to be used at Eastern Illinois  
7 University.

8 (4) To issue upon the recommendation of the faculty,  
9 diplomas to such persons as have satisfactorily completed  
10 the required studies of Eastern Illinois University, and  
11 confer such professional and literary degrees as are  
12 usually conferred by other institutions of like character  
13 for similar or equivalent courses of study, or such as the  
14 Board may deem appropriate.

15 (5) To examine into the conditions, management, and  
16 administration of Eastern Illinois University, to provide  
17 the requisite buildings, apparatus, equipment and  
18 auxiliary enterprises, and to fix and collect  
19 matriculation fees; tuition fees; fees for student  
20 activities; fees for student facilities such as student  
21 union buildings or field houses or stadia or other  
22 recreational facilities; student welfare fees; laboratory  
23 fees; and similar fees for supplies and materials. The  
24 expense of the building, improving, repairing and  
25 supplying fuel and furniture and the necessary appliances  
26 and apparatus for conducting Eastern Illinois University,

1 the reimbursed expenses of members of the Board, and the  
2 salaries or compensation of the President, assistants,  
3 agents and other employees of Eastern Illinois University,  
4 shall be a charge upon the State Treasury. All other  
5 expenses shall be chargeable against students, and the  
6 Board shall regulate the charges accordingly.

7 (6) To succeed to and to administer all trusts, trust  
8 property, and gifts now or hereafter belonging or  
9 pertaining to Eastern Illinois University.

10 (7) To accept endowments of professorships or  
11 departments in Eastern Illinois University from any person  
12 who may proffer them and, at regular meetings, to prescribe  
13 rules and regulations in relation to endowments and declare  
14 on what general principles they may be accepted.

15 (8) To enter into contracts with the Federal government  
16 for providing courses of instruction and other services at  
17 Eastern Illinois University for persons serving in or with  
18 the military or naval forces of the United States, and to  
19 provide such courses of instruction and other services.

20 (9) To contract with respect to the Cooperative  
21 Computer Center to obtain services related to electronic  
22 data processing.

23 (10) To provide for the receipt and expenditures of  
24 Federal funds paid to Eastern Illinois University by the  
25 Federal government for instruction and other services for  
26 persons serving in or with the military or naval forces of

1 the United States, and to provide for audits of such funds.

2 (11) To appoint, subject to the applicable civil  
3 service law, persons to be members of the Eastern Illinois  
4 University Police Department. Members of the Police  
5 Department shall be conservators of the peace and as such  
6 have all powers possessed by policemen in cities, and  
7 sheriffs, including the power to make arrests on view or  
8 warrants of violations of State statutes, University rules  
9 and regulations and city or county ordinances, except that  
10 they may exercise such powers only within counties wherein  
11 Eastern Illinois University and any of its branches or  
12 properties are located when such is required for the  
13 protection of University properties and interests, and its  
14 students and personnel, and otherwise, within such  
15 counties, when requested by appropriate State or local law  
16 enforcement officials. However, such officers shall have  
17 no power to serve and execute civil processes.

18 The Board must authorize to each member of the Eastern  
19 Illinois University Police Department and to any other  
20 employee of Eastern Illinois University exercising the  
21 powers of a peace officer a distinct badge that, on its  
22 face, (i) clearly states that the badge is authorized by  
23 Eastern Illinois University and (ii) contains a unique  
24 identifying number. No other badge shall be authorized by  
25 Eastern Illinois University.

26 (12) To borrow money, as necessary, from time to time

1 in anticipation of receiving tuition, payments from the  
2 State of Illinois, or other revenues or receipts of the  
3 University, also known as anticipated moneys; provided  
4 that the money shall be repaid within 12 months after the  
5 time the money is borrowed and the amount borrowed shall  
6 not exceed 75% of the total amount of payroll and other  
7 expense vouchers submitted, but unpaid at the  
8 Comptroller's Office, 30 days prior to the anticipated  
9 borrowing. The borrowed moneys shall be applied only for  
10 the purposes of paying salaries and other expenses lawfully  
11 authorized in the university's State appropriation. No  
12 borrowing under this provision shall be allowed after  
13 August 31, 2010. The borrowed moneys shall be applied to  
14 the purposes for which the anticipated moneys are lawfully  
15 available. The Chairman or Treasurer of the Board shall  
16 execute a promissory note or similar debt instrument to  
17 evidence the indebtedness incurred by the borrowing. In  
18 connection with a borrowing, the Board may establish a line  
19 of credit with a financial institution.

20 The obligation to make the payments due under the  
21 promissory note or other debt instrument shall be a lawful  
22 obligation of the University payable from the anticipated  
23 moneys as set forth in the resolution authorizing the same.  
24 Any borrowing under this item (12) shall not constitute a  
25 debt, legal or moral, of the State and shall not be  
26 enforceable against the State. The promissory note or other

1 debt instrument shall be authorized by a resolution passed  
2 by the Board and shall be valid whether or not a budgeted  
3 item with respect to that resolution is included in any  
4 annual or supplemental budget adopted by the Board. The  
5 resolution shall set forth facts demonstrating the need for  
6 the borrowing, state an amount that the amount to be  
7 borrowed will not exceed, establish a maximum interest rate  
8 limit not to exceed the maximum rate authorized by the Bond  
9 Authorization Act, and provide a date by which the borrowed  
10 funds shall be repaid. The resolution may direct the  
11 Treasurer of the Board to make arrangements to set apart  
12 and hold the portion of the anticipated moneys, as  
13 received, that shall be used to repay the borrowing,  
14 subject to any prior pledges or restrictions with respect  
15 to the anticipated moneys. The resolution may also  
16 authorize the Treasurer of the Board to make partial  
17 repayments of the borrowing as the anticipated moneys  
18 become available and may contain any other terms,  
19 restrictions, or limitations not inconsistent with the  
20 powers of the Board.

21 For the purposes of this item (12), "financial  
22 institution" means any bank subject to the Illinois Banking  
23 Act, any savings and loan association subject to the  
24 Illinois Savings and Loan Act of 1985, and any federally  
25 chartered commercial bank or savings and loan association  
26 organized and operated in this State pursuant to the laws

1           of the United States.

2           (b) The Board may, directly or in cooperation with other  
3 institutions of higher education, acquire by purchase or lease  
4 or otherwise, and construct, enlarge, improve, equip,  
5 complete, operate, control and manage research and high  
6 technology parks, together with the necessary lands,  
7 buildings, facilities, equipment, and personal property  
8 therefor, to encourage and facilitate (i) the location and  
9 development of business and industry in the State of Illinois,  
10 and (ii) the increased application and development of  
11 technology, and (iii) the improvement and development of the  
12 State's economy. The Board may lease to nonprofit corporations  
13 all or any part of the land, buildings, facilities, equipment  
14 or other property included in a research and high technology  
15 park upon such terms and conditions as the Board may deem  
16 advisable and enter into any contract or agreement with such  
17 nonprofit corporations as may be necessary or suitable for the  
18 construction, financing, operation and maintenance and  
19 management of any such park; and may lease to any person, firm,  
20 partnership or corporation, either public or private, any part  
21 or all of the land, building, facilities, equipment or other  
22 property of such park for such purposes and upon such rentals,  
23 terms and conditions as the Board may deem advisable; and may  
24 finance all or part of the cost of any such park, including the  
25 purchase, lease, construction, reconstruction, improvement,  
26 remodeling, addition to, and extension and maintenance of all

1 or part of such high technology park, and all equipment and  
2 furnishings, by legislative appropriations, government grants,  
3 contracts, private gifts, loans, receipts from the operation of  
4 such high technology park, rentals and similar receipts; and  
5 may make its other facilities and services available to tenants  
6 or other occupants of any such park at rates which are  
7 reasonable and appropriate.

8 (c) The Board may sell the following described property  
9 without compliance with the State Property Control Act and  
10 retain the proceeds in the University treasury in a special,  
11 separate development fund account that the Auditor General  
12 shall examine to assure compliance with this Law:

13 Lots 511 and 512 in Heritage Woods V, Charleston, Coles  
14 County, Illinois.

15 Revenues from the development fund account may be withdrawn by  
16 the University for the purpose of upgrading the on-campus  
17 formal reception facility. Moneys from the development fund  
18 account used for any other purpose must be deposited into and  
19 appropriated from the General Revenue Fund.

20 (Source: P.A. 91-251, eff. 7-22-99; 91-883, eff. 1-1-01.)

21 Section 25. The Governors State University Law is amended  
22 by changing Section 15-45 as follows:

23 (110 ILCS 670/15-45)

24 Sec. 15-45. Powers and duties. The Board also shall have

1 power and it shall be its duty:

2 (1) To make rules, regulations and bylaws, not inconsistent  
3 with law, for the government and management of Governors State  
4 University and its branches;

5 (2) To employ, and, for good cause, to remove a President  
6 of Governors State University, and all necessary deans,  
7 professors, associate professors, assistant professors,  
8 instructors, other educational and administrative assistants,  
9 and all other necessary employees, and to prescribe their  
10 duties and contract with them upon matters relating to tenure,  
11 salaries and retirement benefits in accordance with the State  
12 Universities Civil Service Act. Whenever the Board establishes  
13 a search committee to fill the position of President of  
14 Governors State University, there shall be minority  
15 representation, including women, on that search committee. The  
16 Board shall, upon the written request of an employee of  
17 Governors State University, withhold from the compensation of  
18 that employee any dues, payments or contributions payable by  
19 such employee to any labor organization as defined in the  
20 Illinois Educational Labor Relations Act. Under such  
21 arrangement, an amount shall be withheld from each regular  
22 payroll period which is equal to the pro rata share of the  
23 annual dues plus any payments or contributions, and the Board  
24 shall transmit such withholdings to the specified labor  
25 organization within 10 working days from the time of the  
26 withholding;

1           (3) To prescribe the courses of study to be followed, and  
2 textbooks and apparatus to be used at Governors State  
3 University;

4           (4) To issue upon the recommendation of the faculty,  
5 diplomas to such persons as have satisfactorily completed the  
6 required studies of Governors State University, and confer such  
7 professional and literary degrees as are usually conferred by  
8 other institutions of like character for similar or equivalent  
9 courses of study, or such as the Board may deem appropriate;

10          (5) To examine into the conditions, management, and  
11 administration of Governors State University, to provide the  
12 requisite buildings, apparatus, equipment and auxiliary  
13 enterprises, and to fix and collect matriculation fees; tuition  
14 fees; fees for student activities; fees for student facilities  
15 such as student union buildings or field houses or stadia or  
16 other recreational facilities; student welfare fees;  
17 laboratory fees; and similar fees for supplies and materials.  
18 The expense of the building, improving, repairing and supplying  
19 fuel and furniture and the necessary appliances and apparatus  
20 for conducting Governors State University, the reimbursed  
21 expenses of members of the Board, and the salaries or  
22 compensation of the President, assistants, agents and other  
23 employees of Governors State University, shall be a charge upon  
24 the State Treasury. All other expenses shall be chargeable  
25 against students, and the Board shall regulate the charges  
26 accordingly;

1           (6) To succeed to and to administer all trusts, trust  
2 property, and gifts now or hereafter belonging or pertaining to  
3 Governors State University;

4           (7) To accept endowments of professorships or departments  
5 in Governors State University from any person who may proffer  
6 them and, at regular meetings, to prescribe rules and  
7 regulations in relation to endowments and declare on what  
8 general principles they may be accepted;

9           (8) To enter into contracts with the Federal government for  
10 providing courses of instruction and other services at  
11 Governors State University for persons serving in or with the  
12 military or naval forces of the United States, and to provide  
13 such courses of instruction and other services;

14           (9) To operate, maintain, and contract with respect to the  
15 Cooperative Computer Center for its own purposes and to provide  
16 services related to electronic data processing to other public  
17 and private colleges and universities, to governmental  
18 agencies, and to public or private not-for-profit agencies; and  
19 to examine the conditions, management, and administration of  
20 the Cooperative Computer Center;

21           (10) To provide for the receipt and expenditures of Federal  
22 funds paid to Governors State University by the Federal  
23 government for instruction and other services for persons  
24 serving in or with the military or naval forces of the United  
25 States, and to provide for audits of such funds;

26           (11) To appoint, subject to the applicable civil service

1 law, persons to be members of the Governors State University  
2 Police Department. Members of the Police Department shall be  
3 conservators of the peace and as such have all powers possessed  
4 by policemen in cities, and sheriffs, including the power to  
5 make arrests on view or warrants of violations of State  
6 statutes, University rules and regulations and city or county  
7 ordinances, except that they may exercise such powers only  
8 within counties wherein Governors State University and any of  
9 its branches or properties are located when such is required  
10 for the protection of University properties and interests, and  
11 its students and personnel, and otherwise, within such  
12 counties, when requested by appropriate State or local law  
13 enforcement officials. However, such officers shall have no  
14 power to serve and execute civil processes.

15 The Board must authorize to each member of the Governors  
16 State University Police Department and to any other employee of  
17 Governors State University exercising the powers of a peace  
18 officer a distinct badge that, on its face, (i) clearly states  
19 that the badge is authorized by Governors State University and  
20 (ii) contains a unique identifying number. No other badge shall  
21 be authorized by Governors State University;

22 (12) The Board may, directly or in cooperation with other  
23 institutions of higher education, acquire by purchase or lease  
24 or otherwise, and construct, enlarge, improve, equip,  
25 complete, operate, control and manage research and high  
26 technology parks, together with the necessary lands,

1 buildings, facilities, equipment, and personal property  
2 therefor, to encourage and facilitate (i) the location and  
3 development of business and industry in the State of Illinois,  
4 and (ii) the increased application and development of  
5 technology, and (iii) the improvement and development of the  
6 State's economy. The Board may lease to nonprofit corporations  
7 all or any part of the land, buildings, facilities, equipment  
8 or other property included in a research and high technology  
9 park upon such terms and conditions as the Board may deem  
10 advisable and enter into any contract or agreement with such  
11 nonprofit corporations as may be necessary or suitable for the  
12 construction, financing, operation and maintenance and  
13 management of any such park; and may lease to any person, firm,  
14 partnership or corporation, either public or private, any part  
15 or all of the land, building, facilities, equipment or other  
16 property of such park for such purposes and upon such rentals,  
17 terms and conditions as the Board may deem advisable; and may  
18 finance all or part of the cost of any such park, including the  
19 purchase, lease, construction, reconstruction, improvement,  
20 remodeling, addition to, and extension and maintenance of all  
21 or part of such high technology park, and all equipment and  
22 furnishings, by legislative appropriations, government grants,  
23 contracts, private gifts, loans, receipts from the operation of  
24 such high technology park, rentals and similar receipts; and  
25 may make its other facilities and services available to tenants  
26 or other occupants of any such park at rates which are

1 reasonable and appropriate.

2 (13) To borrow money, as necessary, from time to time in  
3 anticipation of receiving tuition, payments from the State of  
4 Illinois, or other revenues or receipts of the University, also  
5 known as anticipated moneys; provided that the money shall be  
6 repaid within 12 months after the time the money is borrowed  
7 and the amount borrowed shall not exceed 75% of the total  
8 amount of payroll and other expense vouchers submitted, but  
9 unpaid at the Comptroller's Office, 30 days prior to the  
10 anticipated borrowing. The borrowed moneys shall be applied  
11 only for the purposes of paying salaries and other expenses  
12 lawfully authorized in the university's State appropriation.  
13 No borrowing under this provision shall be allowed after August  
14 31, 2010. The borrowed moneys shall be applied to the purposes  
15 for which the anticipated moneys are lawfully available. The  
16 Chairman or Treasurer of the Board shall execute a promissory  
17 note or similar debt instrument to evidence the indebtedness  
18 incurred by the borrowing. In connection with a borrowing, the  
19 Board may establish a line of credit with a financial  
20 institution.

21 The obligation to make the payments due under the  
22 promissory note or other debt instrument shall be a lawful  
23 obligation of the University payable from the anticipated  
24 moneys as set forth in the resolution authorizing the same. Any  
25 borrowing under this item (13) shall not constitute a debt,  
26 legal or moral, of the State and shall not be enforceable

1 against the State. The promissory note or other debt instrument  
2 shall be authorized by a resolution passed by the Board and  
3 shall be valid whether or not a budgeted item with respect to  
4 that resolution is included in any annual or supplemental  
5 budget adopted by the Board. The resolution shall set forth  
6 facts demonstrating the need for the borrowing, state an amount  
7 that the amount to be borrowed will not exceed, establish a  
8 maximum interest rate limit not to exceed the maximum rate  
9 authorized by the Bond Authorization Act, and provide a date by  
10 which the borrowed funds shall be repaid. The resolution may  
11 direct the Treasurer of the Board to make arrangements to set  
12 apart and hold the portion of the anticipated moneys, as  
13 received, that shall be used to repay the borrowing, subject to  
14 any prior pledges or restrictions with respect to the  
15 anticipated moneys. The resolution may also authorize the  
16 Treasurer of the Board to make partial repayments of the  
17 borrowing as the anticipated moneys become available and may  
18 contain any other terms, restrictions, or limitations not  
19 inconsistent with the powers of the Board.

20 For the purposes of this item (13), "financial institution"  
21 means any bank subject to the Illinois Banking Act, any savings  
22 and loan association subject to the Illinois Savings and Loan  
23 Act of 1985, and any federally chartered commercial bank or  
24 savings and loan association organized and operated in this  
25 State pursuant to the laws of the United States.

26 (Source: P.A. 91-883, eff. 1-1-01.)

1           Section 30. The Illinois State University Law is amended by  
2 changing Section 20-45 as follows:

3           (110 ILCS 675/20-45)

4           Sec. 20-45. Powers and duties. The Board also shall have  
5 power and it shall be its duty:

6           (1) To make rules, regulations and bylaws, not inconsistent  
7 with law, for the government and management of Illinois State  
8 University and its branches;

9           (2) To employ, and, for good cause, to remove a President  
10 of Illinois State University, and all necessary deans,  
11 professors, associate professors, assistant professors,  
12 instructors, other educational and administrative assistants,  
13 and all other necessary employees, and to prescribe their  
14 duties and contract with them upon matters relating to tenure,  
15 salaries and retirement benefits in accordance with the State  
16 Universities Civil Service Act. Whenever the Board establishes  
17 a search committee to fill the position of President of  
18 Illinois State University, there shall be minority  
19 representation, including women, on that search committee. The  
20 Board shall, upon the written request of an employee of  
21 Illinois State University, withhold from the compensation of  
22 that employee any dues, payments or contributions payable by  
23 such employee to any labor organization as defined in the  
24 Illinois Educational Labor Relations Act. Under such

1 arrangement, an amount shall be withheld from each regular  
2 payroll period which is equal to the pro rata share of the  
3 annual dues plus any payments or contributions, and the Board  
4 shall transmit such withholdings to the specified labor  
5 organization within 10 working days from the time of the  
6 withholding;

7 (3) To prescribe the courses of study to be followed, and  
8 textbooks and apparatus to be used at Illinois State  
9 University;

10 (4) To issue upon the recommendation of the faculty,  
11 diplomas to such persons as have satisfactorily completed the  
12 required studies of Illinois State University, and confer such  
13 professional and literary degrees as are usually conferred by  
14 other institutions of like character for similar or equivalent  
15 courses of study, or such as the Board may deem appropriate;

16 (5) To examine into the conditions, management, and  
17 administration of Illinois State University, to provide the  
18 requisite buildings, apparatus, equipment and auxiliary  
19 enterprises, and to fix and collect matriculation fees; tuition  
20 fees; fees for student activities; fees for student facilities  
21 such as student union buildings or field houses or stadia or  
22 other recreational facilities; student welfare fees;  
23 laboratory fees; and similar fees for supplies and materials.  
24 The expense of the building, improving, repairing and supplying  
25 fuel and furniture and the necessary appliances and apparatus  
26 for conducting Illinois State University, the reimbursed

1 expenses of members of the Board, and the salaries or  
2 compensation of the President, assistants, agents and other  
3 employees of Illinois State University, shall be a charge upon  
4 the State Treasury. All other expenses shall be chargeable  
5 against students, and the Board shall regulate the charges  
6 accordingly;

7 (6) To succeed to and to administer all trusts, trust  
8 property, and gifts now or hereafter belonging or pertaining to  
9 Illinois State University;

10 (7) To accept endowments of professorships or departments  
11 in Illinois State University from any person who may proffer  
12 them and, at regular meetings, to prescribe rules and  
13 regulations in relation to endowments and declare on what  
14 general principles they may be accepted;

15 (8) To enter into contracts with the Federal government for  
16 providing courses of instruction and other services at Illinois  
17 State University for persons serving in or with the military or  
18 naval forces of the United States, and to provide such courses  
19 of instruction and other services;

20 (9) To contract with respect to the Cooperative Computer  
21 Center to obtain services related to electronic data  
22 processing;

23 (10) To provide for the receipt and expenditures of Federal  
24 funds paid to Illinois State University by the Federal  
25 government for instruction and other services for persons  
26 serving in or with the military or naval forces of the United

1 States, and to provide for audits of such funds;

2 (11) To appoint, subject to the applicable civil service  
3 law, persons to be members of the Illinois State University  
4 Police Department. Members of the Police Department shall be  
5 conservators of the peace and as such have all powers possessed  
6 by policemen in cities, and sheriffs, including the power to  
7 make arrests on view or warrants of violations of State  
8 statutes, University rules and regulations and city or county  
9 ordinances, except that they may exercise such powers only  
10 within counties wherein Illinois State University and any of  
11 its branches or properties are located when such is required  
12 for the protection of University properties and interests, and  
13 its students and personnel, and otherwise, within such  
14 counties, when requested by appropriate State or local law  
15 enforcement officials. However, such officers shall have no  
16 power to serve and execute civil processes.

17 The Board must authorize to each member of the Illinois  
18 State University Police Department and to any other employee of  
19 Illinois State University exercising the powers of a peace  
20 officer a distinct badge that, on its face, (i) clearly states  
21 that the badge is authorized by Illinois State University and  
22 (ii) contains a unique identifying number. No other badge shall  
23 be authorized by Illinois State University;

24 (12) The Board may, directly or in cooperation with other  
25 institutions of higher education, acquire by purchase or lease  
26 or otherwise, and construct, enlarge, improve, equip,

1 complete, operate, control and manage research and high  
2 technology parks, together with the necessary lands,  
3 buildings, facilities, equipment, and personal property  
4 therefor, to encourage and facilitate (i) the location and  
5 development of business and industry in the State of Illinois,  
6 and (ii) the increased application and development of  
7 technology, and (iii) the improvement and development of the  
8 State's economy. The Board may lease to nonprofit corporations  
9 all or any part of the land, buildings, facilities, equipment  
10 or other property included in a research and high technology  
11 park upon such terms and conditions as the Board may deem  
12 advisable and enter into any contract or agreement with such  
13 nonprofit corporations as may be necessary or suitable for the  
14 construction, financing, operation and maintenance and  
15 management of any such park; and may lease to any person, firm,  
16 partnership or corporation, either public or private, any part  
17 or all of the land, building, facilities, equipment or other  
18 property of such park for such purposes and upon such rentals,  
19 terms and conditions as the Board may deem advisable; and may  
20 finance all or part of the cost of any such park, including the  
21 purchase, lease, construction, reconstruction, improvement,  
22 remodeling, addition to, and extension and maintenance of all  
23 or part of such high technology park, and all equipment and  
24 furnishings, by legislative appropriations, government grants,  
25 contracts, private gifts, loans, receipts from the operation of  
26 such high technology park, rentals and similar receipts; and

1 may make its other facilities and services available to tenants  
2 or other occupants of any such park at rates which are  
3 reasonable and appropriate;

4 (13) To assist in the provision of lands, buildings, and  
5 facilities that are supportive of university purposes and  
6 suitable and appropriate for the conduct and operation of the  
7 university's education programs, the Board of Trustees of  
8 Illinois State University may exercise the powers specified in  
9 subparagraphs (a), (b), and (c) of this paragraph (13) with  
10 regard to the following described property located near the  
11 Normal, Illinois campus of Illinois State University:

12 Parcel 1: Approximately 300 acres that form a part of the  
13 Illinois State University Farm in Section 20, Township 24  
14 North, Range 2 East of the Third Principal Meridian in  
15 McLean County, Illinois.

16 Parcels 2 and 3: Lands located in the Northeast Quadrant of  
17 the City of Normal in McLean County, Illinois, one such  
18 parcel consisting of approximately 150 acres located north  
19 and east of the old Illinois Soldiers and Sailors  
20 Children's School campus, and another such parcel, located  
21 in the Northeast Quadrant of the old Soldiers and Sailors  
22 Children's School Campus, consisting of approximately  
23 1.03.

24 (a) The Board of Trustees may sell, lease, or otherwise  
25 transfer and convey all or part of the above described  
26 parcels of real estate, together with the improvements

1       situated thereon, to a bona fide purchaser for value,  
2       without compliance with the State Property Control Act and  
3       on such terms as the Board of Trustees shall determine are  
4       in the best interests of Illinois State University and  
5       consistent with its objects and purposes.

6               (b) The Board of Trustees may retain the proceeds from  
7       the sale, lease, or other transfer of all or any part of  
8       the above described parcels of real estate in the  
9       University treasury, in a special, separate development  
10      fund account that the Auditor General shall examine to  
11      assure the use or deposit of those proceeds in a manner  
12      consistent with the provisions of subparagraph (c) of this  
13      paragraph (13).

14              (c) Moneys from the development fund account may be  
15      used by the Board of Trustees of Illinois State University  
16      to acquire and develop other land to achieve the same  
17      purposes for which the parcels of real estate described in  
18      this item (13), all or a part of which have been sold,  
19      leased, or otherwise transferred and conveyed, were used  
20      and for the purpose of demolition and the processes  
21      associated with demolition on the acquired land. Moneys  
22      from the development fund account used for any other  
23      purpose must be deposited into and appropriated from the  
24      General Revenue Fund. Buildings or facilities leased to an  
25      entity or person other than the University shall not be  
26      subject to any limitations applicable to a State-supported

1 college or university under any law. All development on the  
2 land and all the use of any buildings or facilities shall  
3 be subject to the control and approval of the Board of  
4 Trustees of Illinois State University.

5 (14) To borrow money, as necessary, from time to time in  
6 anticipation of receiving tuition, payments from the State of  
7 Illinois, or other revenues or receipts of the University, also  
8 known as anticipated moneys; provided that the money shall be  
9 repaid within 12 months after the time the money is borrowed  
10 and the amount borrowed shall not exceed 75% of the total  
11 amount of payroll and other expense vouchers submitted, but  
12 unpaid at the Comptroller's Office, 30 days prior to the  
13 anticipated borrowing. The borrowed moneys shall be applied  
14 only for the purposes of paying salaries and other expenses  
15 lawfully authorized in the university's State appropriation.  
16 No borrowing under this provision shall be allowed after August  
17 31, 2010. The borrowed moneys shall be applied to the purposes  
18 for which the anticipated moneys are lawfully available. The  
19 Chairman or Treasurer of the Board shall execute a promissory  
20 note or similar debt instrument to evidence the indebtedness  
21 incurred by the borrowing. In connection with a borrowing, the  
22 Board may establish a line of credit with a financial  
23 institution.

24 The obligation to make the payments due under the  
25 promissory note or other debt instrument shall be a lawful  
26 obligation of the University payable from the anticipated

1 moneys as set forth in the resolution authorizing the same. Any  
2 borrowing under this item (14) shall not constitute a debt,  
3 legal or moral, of the State and shall not be enforceable  
4 against the State. The promissory note or other debt instrument  
5 shall be authorized by a resolution passed by the Board and  
6 shall be valid whether or not a budgeted item with respect to  
7 that resolution is included in any annual or supplemental  
8 budget adopted by the Board. The resolution shall set forth  
9 facts demonstrating the need for the borrowing, state an amount  
10 that the amount to be borrowed will not exceed, establish a  
11 maximum interest rate limit not to exceed the maximum rate  
12 authorized by the Bond Authorization Act, and provide a date by  
13 which the borrowed funds shall be repaid. The resolution may  
14 direct the Treasurer of the Board to make arrangements to set  
15 apart and hold the portion of the anticipated moneys, as  
16 received, that shall be used to repay the borrowing, subject to  
17 any prior pledges or restrictions with respect to the  
18 anticipated moneys. The resolution may also authorize the  
19 Treasurer of the Board to make partial repayments of the  
20 borrowing as the anticipated moneys become available and may  
21 contain any other terms, restrictions, or limitations not  
22 inconsistent with the powers of the Board.

23 For the purposes of this item (14), "financial institution"  
24 means any bank subject to the Illinois Banking Act, any savings  
25 and loan association subject to the Illinois Savings and Loan  
26 Act of 1985, and any federally chartered commercial bank or

1 savings and loan association organized and operated in this  
2 State pursuant to the laws of the United States.

3 (Source: P.A. 91-396, eff. 7-30-99; 91-883, eff. 1-1-01.)

4 Section 33. The Northeastern Illinois University Law is  
5 amended by changing Section 25-45 as follows:

6 (110 ILCS 680/25-45)

7 Sec. 25-45. Powers and duties. The Board also shall have  
8 power and it shall be its duty:

9 (1) To make rules, regulations and bylaws, not inconsistent  
10 with law, for the government and management of Northeastern  
11 Illinois University and its branches;

12 (2) To employ, and, for good cause, to remove a President  
13 of Northeastern Illinois University, and all necessary deans,  
14 professors, associate professors, assistant professors,  
15 instructors, other educational and administrative assistants,  
16 and all other necessary employees, and to prescribe their  
17 duties and contract with them upon matters relating to tenure,  
18 salaries and retirement benefits in accordance with the State  
19 Universities Civil Service Act. Whenever the Board establishes  
20 a search committee to fill the position of President of  
21 Northeastern Illinois University, there shall be minority  
22 representation, including women, on that search committee. The  
23 Board shall, upon the written request of an employee of  
24 Northeastern Illinois University, withhold from the

1 compensation of that employee any dues, payments or  
2 contributions payable by such employee to any labor  
3 organization as defined in the Illinois Educational Labor  
4 Relations Act. Under such arrangement, an amount shall be  
5 withheld from each regular payroll period which is equal to the  
6 pro rata share of the annual dues plus any payments or  
7 contributions, and the Board shall transmit such withholdings  
8 to the specified labor organization within 10 working days from  
9 the time of the withholding;

10 (3) To prescribe the courses of study to be followed, and  
11 textbooks and apparatus to be used at Northeastern Illinois  
12 University;

13 (4) To issue upon the recommendation of the faculty,  
14 diplomas to such persons as have satisfactorily completed the  
15 required studies of Northeastern Illinois University, and  
16 confer such professional and literary degrees as are usually  
17 conferred by other institutions of like character for similar  
18 or equivalent courses of study, or such as the Board may deem  
19 appropriate;

20 (5) To examine into the conditions, management, and  
21 administration of Northeastern Illinois University, to provide  
22 the requisite buildings, apparatus, equipment and auxiliary  
23 enterprises, and to fix and collect matriculation fees; tuition  
24 fees; fees for student activities; fees for student facilities  
25 such as student union buildings or field houses or stadia or  
26 other recreational facilities; student welfare fees;

1 laboratory fees; and similar fees for supplies and materials.  
2 The expense of the building, improving, repairing and supplying  
3 fuel and furniture and the necessary appliances and apparatus  
4 for conducting Northeastern Illinois University, the  
5 reimbursed expenses of members of the Board, and the salaries  
6 or compensation of the President, assistants, agents and other  
7 employees of Northeastern Illinois University, shall be a  
8 charge upon the State Treasury. All other expenses shall be  
9 chargeable against students, and the Board shall regulate the  
10 charges accordingly;

11 (6) To succeed to and to administer all trusts, trust  
12 property, and gifts now or hereafter belonging or pertaining to  
13 Northeastern Illinois University;

14 (7) To accept endowments of professorships or departments  
15 in Northeastern Illinois University from any person who may  
16 proffer them and, at regular meetings, to prescribe rules and  
17 regulations in relation to endowments and declare on what  
18 general principles they may be accepted;

19 (8) To enter into contracts with the Federal government for  
20 providing courses of instruction and other services at  
21 Northeastern Illinois University for persons serving in or with  
22 the military or naval forces of the United States, and to  
23 provide such courses of instruction and other services;

24 (9) To contract with respect to the Cooperative Computer  
25 Center to obtain services related to electronic data  
26 processing;

1           (10) To provide for the receipt and expenditures of Federal  
2 funds paid to Northeastern Illinois University by the Federal  
3 government for instruction and other services for persons  
4 serving in or with the military or naval forces of the United  
5 States, and to provide for audits of such funds;

6           (11) To appoint, subject to the applicable civil service  
7 law, persons to be members of the Northeastern Illinois  
8 University Police Department. Members of the Police Department  
9 shall be conservators of the peace and as such have all powers  
10 possessed by policemen in cities, and sheriffs, including the  
11 power to make arrests on view or warrants of violations of  
12 State statutes, University rules and regulations and city or  
13 county ordinances, except that they may exercise such powers  
14 only within counties wherein Northeastern Illinois University  
15 and any of its branches or properties are located when such is  
16 required for the protection of University properties and  
17 interests, and its students and personnel, and otherwise,  
18 within such counties, when requested by appropriate State or  
19 local law enforcement officials. However, such officers shall  
20 have no power to serve and execute civil processes.

21           The Board must authorize to each member of the Northeastern  
22 Illinois University Police Department and to any other employee  
23 of Northeastern Illinois University exercising the powers of a  
24 peace officer a distinct badge that, on its face, (i) clearly  
25 states that the badge is authorized by Northeastern Illinois  
26 University and (ii) contains a unique identifying number. No

1 other badge shall be authorized by Northeastern Illinois  
2 University;

3 (12) The Board may, directly or in cooperation with other  
4 institutions of higher education, acquire by purchase or lease  
5 or otherwise, and construct, enlarge, improve, equip,  
6 complete, operate, control and manage research and high  
7 technology parks, together with the necessary lands,  
8 buildings, facilities, equipment, and personal property  
9 therefor, to encourage and facilitate (i) the location and  
10 development of business and industry in the State of Illinois,  
11 and (ii) the increased application and development of  
12 technology, and (iii) the improvement and development of the  
13 State's economy. The Board may lease to nonprofit corporations  
14 all or any part of the land, buildings, facilities, equipment  
15 or other property included in a research and high technology  
16 park upon such terms and conditions as the Board may deem  
17 advisable and enter into any contract or agreement with such  
18 nonprofit corporations as may be necessary or suitable for the  
19 construction, financing, operation and maintenance and  
20 management of any such park; and may lease to any person, firm,  
21 partnership or corporation, either public or private, any part  
22 or all of the land, building, facilities, equipment or other  
23 property of such park for such purposes and upon such rentals,  
24 terms and conditions as the Board may deem advisable; and may  
25 finance all or part of the cost of any such park, including the  
26 purchase, lease, construction, reconstruction, improvement,

1 remodeling, addition to, and extension and maintenance of all  
2 or part of such high technology park, and all equipment and  
3 furnishings, by legislative appropriations, government grants,  
4 contracts, private gifts, loans, receipts from the operation of  
5 such high technology park, rentals and similar receipts; and  
6 may make its other facilities and services available to tenants  
7 or other occupants of any such park at rates which are  
8 reasonable and appropriate.

9 (13) To borrow money, as necessary, from time to time in  
10 anticipation of receiving tuition, payments from the State of  
11 Illinois, or other revenues or receipts of the University, also  
12 known as anticipated moneys; provided that the money shall be  
13 repaid within 12 months after the time the money is borrowed  
14 and the amount borrowed shall not exceed 75% of the total  
15 amount of payroll and other expense vouchers submitted, but  
16 unpaid at the Comptroller's Office, 30 days prior to the  
17 anticipated borrowing. The borrowed moneys shall be applied  
18 only for the purposes of paying salaries and other expenses  
19 lawfully authorized in the university's State appropriation.  
20 No borrowing under this provision shall be allowed after August  
21 31, 2010. The borrowed moneys shall be applied to the purposes  
22 for which the anticipated moneys are lawfully available. The  
23 Chairman or Treasurer of the Board shall execute a promissory  
24 note or similar debt instrument to evidence the indebtedness  
25 incurred by the borrowing. In connection with a borrowing, the  
26 Board may establish a line of credit with a financial

1 institution.

2 The obligation to make the payments due under the  
3 promissory note or other debt instrument shall be a lawful  
4 obligation of the University payable from the anticipated  
5 moneys as set forth in the resolution authorizing the same. Any  
6 borrowing under this item (13) shall not constitute a debt,  
7 legal or moral, of the State and shall not be enforceable  
8 against the State. The promissory note or other debt instrument  
9 shall be authorized by a resolution passed by the Board and  
10 shall be valid whether or not a budgeted item with respect to  
11 that resolution is included in any annual or supplemental  
12 budget adopted by the Board. The resolution shall set forth  
13 facts demonstrating the need for the borrowing, state an amount  
14 that the amount to be borrowed will not exceed, establish a  
15 maximum interest rate limit not to exceed the maximum rate  
16 authorized by the Bond Authorization Act, and provide a date by  
17 which the borrowed funds shall be repaid. The resolution may  
18 direct the Treasurer of the Board to make arrangements to set  
19 apart and hold the portion of the anticipated moneys, as  
20 received, that shall be used to repay the borrowing, subject to  
21 any prior pledges or restrictions with respect to the  
22 anticipated moneys. The resolution may also authorize the  
23 Treasurer of the Board to make partial repayments of the  
24 borrowing as the anticipated moneys become available and may  
25 contain any other terms, restrictions, or limitations not  
26 inconsistent with the powers of the Board.

1       For the purposes of this item (13), "financial institution"  
2 means any bank subject to the Illinois Banking Act, any savings  
3 and loan association subject to the Illinois Savings and Loan  
4 Act of 1985, and any federally chartered commercial bank or  
5 savings and loan association organized and operated in this  
6 State pursuant to the laws of the United States.

7       (Source: P.A. 91-883, eff. 1-1-01.)

8       Section 35. The Northern Illinois University Law is amended  
9 by changing Section 30-45 as follows:

10       (110 ILCS 685/30-45)

11       Sec. 30-45. Powers and duties. The Board also shall have  
12 power and it shall be its duty:

13       (1) To make rules, regulations and bylaws, not inconsistent  
14 with law, for the government and management of Northern  
15 Illinois University and its branches;

16       (2) To employ, and, for good cause, to remove a President  
17 of Northern Illinois University, and all necessary deans,  
18 professors, associate professors, assistant professors,  
19 instructors, other educational and administrative assistants,  
20 and all other necessary employees, and to prescribe their  
21 duties and contract with them upon matters relating to tenure,  
22 salaries and retirement benefits in accordance with the State  
23 Universities Civil Service Act. Whenever the Board establishes  
24 a search committee to fill the position of President of

1 Northern Illinois University, there shall be minority  
2 representation, including women, on that search committee. The  
3 Board shall, upon the written request of an employee of  
4 Northern Illinois University, withhold from the compensation  
5 of that employee any dues, payments or contributions payable by  
6 such employee to any labor organization as defined in the  
7 Illinois Educational Labor Relations Act. Under such  
8 arrangement, an amount shall be withheld from each regular  
9 payroll period which is equal to the pro rata share of the  
10 annual dues plus any payments or contributions, and the Board  
11 shall transmit such withholdings to the specified labor  
12 organization within 10 working days from the time of the  
13 withholding;

14 (3) To prescribe the courses of study to be followed, and  
15 textbooks and apparatus to be used at Northern Illinois  
16 University;

17 (4) To issue upon the recommendation of the faculty,  
18 diplomas to such persons as have satisfactorily completed the  
19 required studies of Northern Illinois University, and confer  
20 such professional and literary degrees as are usually conferred  
21 by other institutions of like character for similar or  
22 equivalent courses of study, or such as the Board may deem  
23 appropriate;

24 (5) To examine into the conditions, management, and  
25 administration of Northern Illinois University, to provide the  
26 requisite buildings, apparatus, equipment and auxiliary

1 enterprises, and to fix and collect matriculation fees; tuition  
2 fees; fees for student activities; fees for student facilities  
3 such as student union buildings or field houses or stadia or  
4 other recreational facilities; student welfare fees;  
5 laboratory fees; and similar fees for supplies and materials.  
6 The expense of the building, improving, repairing and supplying  
7 fuel and furniture and the necessary appliances and apparatus  
8 for conducting Northern Illinois University, the reimbursed  
9 expenses of members of the Board, and the salaries or  
10 compensation of the President, assistants, agents and other  
11 employees of Northern Illinois University, shall be a charge  
12 upon the State Treasury. All other expenses shall be chargeable  
13 against students, and the Board shall regulate the charges  
14 accordingly;

15 (6) To succeed to and to administer all trusts, trust  
16 property, and gifts now or hereafter belonging or pertaining to  
17 Northern Illinois University;

18 (7) To accept endowments of professorships or departments  
19 in Northern Illinois University from any person who may proffer  
20 them and, at regular meetings, to prescribe rules and  
21 regulations in relation to endowments and declare on what  
22 general principles they may be accepted;

23 (8) To enter into contracts with the Federal government for  
24 providing courses of instruction and other services at Northern  
25 Illinois University for persons serving in or with the military  
26 or naval forces of the United States, and to provide such

1 courses of instruction and other services;

2 (9) To contract with respect to the Cooperative Computer  
3 Center to obtain services related to electronic data  
4 processing;

5 (10) To provide for the receipt and expenditures of Federal  
6 funds paid to Northern Illinois University by the Federal  
7 government for instruction and other services for persons  
8 serving in or with the military or naval forces of the United  
9 States, and to provide for audits of such funds;

10 (11) To appoint, subject to the applicable civil service  
11 law, persons to be members of the Northern Illinois University  
12 Police Department. Members of the Police Department shall be  
13 conservators of the peace and as such have all powers possessed  
14 by policemen in cities, and sheriffs, including the power to  
15 make arrests on view or warrants of violations of State  
16 statutes, University rules and regulations and city or county  
17 ordinances, except that they may exercise such powers only  
18 within counties wherein Northern Illinois University and any of  
19 its branches or properties are located when such is required  
20 for the protection of University properties and interests, and  
21 its students and personnel, and otherwise, within such  
22 counties, when requested by appropriate State or local law  
23 enforcement officials. However, such officers shall have no  
24 power to serve and execute civil processes.

25 The Board must authorize to each member of the Northern  
26 Illinois University Police Department and to any other employee

1 of Northern Illinois University exercising the powers of a  
2 peace officer a distinct badge that, on its face, (i) clearly  
3 states that the badge is authorized by Northern Illinois  
4 University and (ii) contains a unique identifying number. No  
5 other badge shall be authorized by Northern Illinois  
6 University;

7 (12) The Board may, directly or in cooperation with other  
8 institutions of higher education, acquire by purchase or lease  
9 or otherwise, and construct, enlarge, improve, equip,  
10 complete, operate, control and manage research and high  
11 technology parks, together with the necessary lands,  
12 buildings, facilities, equipment, and personal property  
13 therefor, to encourage and facilitate (i) the location and  
14 development of business and industry in the State of Illinois,  
15 and (ii) the increased application and development of  
16 technology, and (iii) the improvement and development of the  
17 State's economy. The Board may lease to nonprofit corporations  
18 all or any part of the land, buildings, facilities, equipment  
19 or other property included in a research and high technology  
20 park upon such terms and conditions as the Board may deem  
21 advisable and enter into any contract or agreement with such  
22 nonprofit corporations as may be necessary or suitable for the  
23 construction, financing, operation and maintenance and  
24 management of any such park; and may lease to any person, firm,  
25 partnership or corporation, either public or private, any part  
26 or all of the land, building, facilities, equipment or other

1 property of such park for such purposes and upon such rentals,  
2 terms and conditions as the Board may deem advisable; and may  
3 finance all or part of the cost of any such park, including the  
4 purchase, lease, construction, reconstruction, improvement,  
5 remodeling, addition to, and extension and maintenance of all  
6 or part of such high technology park, and all equipment and  
7 furnishings, by legislative appropriations, government grants,  
8 contracts, private gifts, loans, receipts from the operation of  
9 such high technology park, rentals and similar receipts; and  
10 may make its other facilities and services available to tenants  
11 or other occupants of any such park at rates which are  
12 reasonable and appropriate.

13 (13) To assist in the provision of buildings and facilities  
14 beneficial to, useful for, or supportive of university  
15 purposes, the Board of Trustees of Northern Illinois University  
16 may exercise the following powers with regard to the area  
17 located on or adjacent to the Northern Illinois University  
18 DeKalb campus and bounded as follows:

19 Parcel 1:

20 In Township 40 North, Range 4 East, of the Third Prime  
21 Meridian, County of DeKalb, State of Illinois: The East  
22 half of the Southeast Quarter of Section 17, the Southwest  
23 Quarter of Section 16, and the Northwest Quarter of Section  
24 21, all in the County of DeKalb, Illinois.

25 Parcel 2:

26 In Township 40 North, Range 4 East, of the Third Prime

1 Meridian, County of DeKalb, State of Illinois: On the  
2 North, by a line beginning at the Northwest corner of the  
3 Southeast Quarter of Section 15; thence East 1,903.3 feet;  
4 thence South to the North line of the Southeast Quarter of  
5 the Southeast Quarter of Section 15; thence East along said  
6 line to North First Street; on the West by Garden Road  
7 between Lucinda Avenue and the North boundary; thence on  
8 the South by Lucinda Avenue between Garden Road and the  
9 intersection of Lucinda Avenue and the South Branch of the  
10 Kishwaukee River, and by the South Branch of the Kishwaukee  
11 River between such intersection and easterly to the  
12 intersection of such river and North First Street; thence  
13 on the East by North First Street.

14 (a) Acquire any interests in land, buildings, or  
15 facilities by purchase, including installments payable  
16 over a period allowed by law, by lease over a term of such  
17 duration as the Board of Trustees shall determine, or by  
18 exercise of the power of eminent domain;

19 (b) Sublease or contract to purchase through  
20 installments all or any portion of buildings or facilities  
21 for such duration and on such terms as the Board of  
22 Trustees shall determine, including a term that exceeds 5  
23 years, provided that each such lease or purchase contract  
24 shall be and shall recite that it is subject to termination  
25 and cancellation in any year for which the General Assembly  
26 fails to make an appropriation to pay the rent or purchase

1 installments payable under the terms of such lease or  
2 purchase contracts; and

3 (c) Sell property without compliance with the State  
4 Property Control Act and retain proceeds in the University  
5 treasury in a special, separate development fund account  
6 which the Auditor General shall examine to assure  
7 compliance with this Act.

8 Any buildings or facilities to be developed on the land  
9 shall be buildings or facilities that, in the determination of  
10 the Board of Trustees, in whole or in part: (i) are for use by  
11 the University; or (ii) otherwise advance the interests of the  
12 University, including, by way of example, residential,  
13 recreational, educational, and athletic facilities for  
14 University staff and students and commercial facilities which  
15 provide services needed by the University community. Revenues  
16 from the development fund account may be withdrawn by the  
17 University for the purpose of demolition and the processes  
18 associated with demolition; routine land and property  
19 acquisition; extension of utilities; streetscape work;  
20 landscape work; surface and structure parking; sidewalks,  
21 recreational paths, and street construction; and lease and  
22 lease purchase arrangements and the professional services  
23 associated with the planning and development of the area.  
24 Moneys from the development fund account used for any other  
25 purpose must be deposited into and appropriated from the  
26 General Revenue Fund. Buildings or facilities leased to an

1 entity or person other than the University shall not be subject  
2 to any limitations applicable to a State-supported college or  
3 university under any law. All development on the land and all  
4 the use of any buildings or facilities shall be subject to the  
5 control and approval of the Board of Trustees of Northern  
6 Illinois University.

7 (14) To borrow money, as necessary, from time to time in  
8 anticipation of receiving tuition, payments from the State of  
9 Illinois, or other revenues or receipts of the University, also  
10 known as anticipated moneys; provided that the money shall be  
11 repaid within 12 months after the time the money is borrowed  
12 and the amount borrowed shall not exceed 75% of the total  
13 amount of payroll and other expense vouchers submitted, but  
14 unpaid at the Comptroller's Office, 30 days prior to the  
15 anticipated borrowing. The borrowed moneys shall be applied  
16 only for the purposes of paying salaries and other expenses  
17 lawfully authorized in the university's State appropriation.  
18 No borrowing under this provision shall be allowed after August  
19 31, 2010. The borrowed moneys shall be applied to the purposes  
20 for which the anticipated moneys are lawfully available. The  
21 Chairman or Treasurer of the Board shall execute a promissory  
22 note or similar debt instrument to evidence the indebtedness  
23 incurred by the borrowing. In connection with a borrowing, the  
24 Board may establish a line of credit with a financial  
25 institution.

26 The obligation to make the payments due under the

1 promissory note or other debt instrument shall be a lawful  
2 obligation of the University payable from the anticipated  
3 moneys as set forth in the resolution authorizing the same. Any  
4 borrowing under this item (14) shall not constitute a debt,  
5 legal or moral, of the State and shall not be enforceable  
6 against the State. The promissory note or other debt instrument  
7 shall be authorized by a resolution passed by the Board and  
8 shall be valid whether or not a budgeted item with respect to  
9 that resolution is included in any annual or supplemental  
10 budget adopted by the Board. The resolution shall set forth  
11 facts demonstrating the need for the borrowing, state an amount  
12 that the amount to be borrowed will not exceed, establish a  
13 maximum interest rate limit not to exceed the maximum rate  
14 authorized by the Bond Authorization Act, and provide a date by  
15 which the borrowed funds shall be repaid. The resolution may  
16 direct the Treasurer of the Board to make arrangements to set  
17 apart and hold the portion of the anticipated moneys, as  
18 received, that shall be used to repay the borrowing, subject to  
19 any prior pledges or restrictions with respect to the  
20 anticipated moneys. The resolution may also authorize the  
21 Treasurer of the Board to make partial repayments of the  
22 borrowing as the anticipated moneys become available and may  
23 contain any other terms, restrictions, or limitations not  
24 inconsistent with the powers of the Board.

25 For the purposes of this item (14), "financial institution"  
26 means any bank subject to the Illinois Banking Act, any savings

1 and loan association subject to the Illinois Savings and Loan  
2 Act of 1985, and any federally chartered commercial bank or  
3 savings and loan association organized and operated in this  
4 State pursuant to the laws of the United States.

5 (Source: P.A. 90-284, eff. 1-1-98; 91-883, eff. 1-1-01.)

6 Section 40. The Western Illinois University Law is amended  
7 by changing Section 35-45 as follows:

8 (110 ILCS 690/35-45)

9 Sec. 35-45. Powers and duties. The Board also shall have  
10 power and it shall be its duty:

11 (1) To make rules, regulations and bylaws, not inconsistent  
12 with law, for the government and management of Western Illinois  
13 University and its branches;

14 (2) To employ, and, for good cause, to remove a President  
15 of Western Illinois University, and all necessary deans,  
16 professors, associate professors, assistant professors,  
17 instructors, other educational and administrative assistants,  
18 and all other necessary employees, and to prescribe their  
19 duties and contract with them upon matters relating to tenure,  
20 salaries and retirement benefits in accordance with the State  
21 Universities Civil Service Act. Whenever the Board establishes  
22 a search committee to fill the position of President of Western  
23 Illinois University, there shall be minority representation,  
24 including women, on that search committee. The Board shall,

1 upon the written request of an employee of Western Illinois  
2 University, withhold from the compensation of that employee any  
3 dues, payments or contributions payable by such employee to any  
4 labor organization as defined in the Illinois Educational Labor  
5 Relations Act. Under such arrangement, an amount shall be  
6 withheld from each regular payroll period which is equal to the  
7 pro rata share of the annual dues plus any payments or  
8 contributions, and the Board shall transmit such withholdings  
9 to the specified labor organization within 10 working days from  
10 the time of the withholding;

11 (3) To prescribe the courses of study to be followed, and  
12 textbooks and apparatus to be used at Western Illinois  
13 University;

14 (4) To issue upon the recommendation of the faculty,  
15 diplomas to such persons as have satisfactorily completed the  
16 required studies of Western Illinois University, and confer  
17 such professional and literary degrees as are usually conferred  
18 by other institutions of like character for similar or  
19 equivalent courses of study, or such as the Board may deem  
20 appropriate;

21 (5) To examine into the conditions, management, and  
22 administration of Western Illinois University, to provide the  
23 requisite buildings, apparatus, equipment and auxiliary  
24 enterprises, and to fix and collect matriculation fees; tuition  
25 fees; fees for student activities; fees for student facilities  
26 such as student union buildings or field houses or stadia or

1 other recreational facilities; student welfare fees;  
2 laboratory fees; and similar fees for supplies and materials.  
3 The expense of the building, improving, repairing and supplying  
4 fuel and furniture and the necessary appliances and apparatus  
5 for conducting Western Illinois University, the reimbursed  
6 expenses of members of the Board, and the salaries or  
7 compensation of the President, assistants, agents and other  
8 employees of Western Illinois University, shall be a charge  
9 upon the State Treasury. All other expenses shall be chargeable  
10 against students, and the Board shall regulate the charges  
11 accordingly;

12 (6) To succeed to and to administer all trusts, trust  
13 property, and gifts now or hereafter belonging or pertaining to  
14 Western Illinois University;

15 (7) To accept endowments of professorships or departments  
16 in Western Illinois University from any person who may proffer  
17 them and, at regular meetings, to prescribe rules and  
18 regulations in relation to endowments and declare on what  
19 general principles they may be accepted;

20 (8) To enter into contracts with the Federal government for  
21 providing courses of instruction and other services at Western  
22 Illinois University for persons serving in or with the military  
23 or naval forces of the United States, and to provide such  
24 courses of instruction and other services;

25 (9) To contract with respect to the Cooperative Computer  
26 Center to obtain services related to electronic data

1 processing;

2 (10) To provide for the receipt and expenditures of Federal  
3 funds paid to Western Illinois University by the Federal  
4 government for instruction and other services for persons  
5 serving in or with the military or naval forces of the United  
6 States, and to provide for audits of such funds;

7 (11) To appoint, subject to the applicable civil service  
8 law, persons to be members of the Western Illinois University  
9 Police Department. Members of the Police Department shall be  
10 conservators of the peace and as such have all powers possessed  
11 by policemen in cities, and sheriffs, including the power to  
12 make arrests on view or warrants of violations of State  
13 statutes, University rules and regulations and city or county  
14 ordinances, except that they may exercise such powers only  
15 within counties wherein Western Illinois University and any of  
16 its branches or properties are located when such is required  
17 for the protection of University properties and interests, and  
18 its students and personnel, and otherwise, within such  
19 counties, when requested by appropriate State or local law  
20 enforcement officials. However, such officers shall have no  
21 power to serve and execute civil processes.

22 The Board must authorize to each member of the Western  
23 Illinois University Police Department and to any other employee  
24 of Western Illinois University exercising the powers of a peace  
25 officer a distinct badge that, on its face, (i) clearly states  
26 that the badge is authorized by Western Illinois University and

1 (ii) contains a unique identifying number. No other badge shall  
2 be authorized by Western Illinois University;

3 (12) The Board may, directly or in cooperation with other  
4 institutions of higher education, acquire by purchase or lease  
5 or otherwise, and construct, enlarge, improve, equip,  
6 complete, operate, control and manage research and high  
7 technology parks, together with the necessary lands,  
8 buildings, facilities, equipment, and personal property  
9 therefor, to encourage and facilitate (i) the location and  
10 development of business and industry in the State of Illinois,  
11 and (ii) the increased application and development of  
12 technology, and (iii) the improvement and development of the  
13 State's economy. The Board may lease to nonprofit corporations  
14 all or any part of the land, buildings, facilities, equipment  
15 or other property included in a research and high technology  
16 park upon such terms and conditions as the Board may deem  
17 advisable and enter into any contract or agreement with such  
18 nonprofit corporations as may be necessary or suitable for the  
19 construction, financing, operation and maintenance and  
20 management of any such park; and may lease to any person, firm,  
21 partnership or corporation, either public or private, any part  
22 or all of the land, building, facilities, equipment or other  
23 property of such park for such purposes and upon such rentals,  
24 terms and conditions as the Board may deem advisable; and may  
25 finance all or part of the cost of any such park, including the  
26 purchase, lease, construction, reconstruction, improvement,

1 remodeling, addition to, and extension and maintenance of all  
2 or part of such high technology park, and all equipment and  
3 furnishings, by legislative appropriations, government grants,  
4 contracts, private gifts, loans, receipts from the operation of  
5 such high technology park, rentals and similar receipts; and  
6 may make its other facilities and services available to tenants  
7 or other occupants of any such park at rates which are  
8 reasonable and appropriate.

9 (13) To borrow money, as necessary, from time to time in  
10 anticipation of receiving tuition, payments from the State of  
11 Illinois, or other revenues or receipts of the University, also  
12 known as anticipated moneys; provided that the money shall be  
13 repaid within 12 months after the time the money is borrowed  
14 and the amount borrowed shall not exceed 75% of the total  
15 amount of payroll and other expense vouchers submitted, but  
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17 anticipated borrowing. The borrowed moneys shall be applied  
18 only for the purposes of paying salaries and other expenses  
19 lawfully authorized in the university's State appropriation.  
20 No borrowing under this provision shall be allowed after August  
21 31, 2010. The borrowed moneys shall be applied to the purposes  
22 for which the anticipated moneys are lawfully available. The  
23 Chairman or Treasurer of the Board shall execute a promissory  
24 note or similar debt instrument to evidence the indebtedness  
25 incurred by the borrowing. In connection with a borrowing, the  
26 Board may establish a line of credit with a financial

1 institution.

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3 promissory note or other debt instrument shall be a lawful  
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5 moneys as set forth in the resolution authorizing the same. Any  
6 borrowing under this item (13) shall not constitute a debt,  
7 legal or moral, of the State and shall not be enforceable  
8 against the State. The promissory note or other debt instrument  
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10 shall be valid whether or not a budgeted item with respect to  
11 that resolution is included in any annual or supplemental  
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13 facts demonstrating the need for the borrowing, state an amount  
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23 Treasurer of the Board to make partial repayments of the  
24 borrowing as the anticipated moneys become available and may  
25 contain any other terms, restrictions, or limitations not  
26 inconsistent with the powers of the Board.

1           For the purposes of this item (13), "financial institution"  
2           means any bank subject to the Illinois Banking Act, any savings  
3           and loan association subject to the Illinois Savings and Loan  
4           Act of 1985, and any federally chartered commercial bank or  
5           savings and loan association organized and operated in this  
6           State pursuant to the laws of the United States.

7           (Source: P.A. 91-883, eff. 1-1-01.)

8           Section 99. Effective date. This Act takes effect upon  
9           becoming law."